



# CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

## ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, January 14, 2009**

### Members Present:

X	Ed Selich, Mayor, Chairman
E	Leslie Daigle, Council Member
X	Don Webb, Council Member
X	Barry Eaton, Planning Commissioner
X	Robert Hawkins, Planning Commissioner
X	Michael Toerge, Planning Commissioner

### Advisory Group Members Present:

X	Mark Cross
	Larry Frapwell
	William Guidero
X	Ian Harrison
X	Brion Jeannette
	Don Krotee
X	Todd Schooler
	Kevin Weeda
	Dennis Wood

### Staff Representatives:

X	Sharon Wood, Assistant City Manager
X	David Lepo, Planning Director
X	David Hunt, City Attorney
X	Aaron Harp, City Attorney
X	James Campbell, Senior Planner
X	Gregg Ramirez, Senior Planner
X	Melinda Whelan, Assistant Planner

E = Excused Absence

### Committee Actions

1. **Agenda Item No. 1** – Approval of minutes of December 10, 2008.

**Action:** Committee approved draft minutes.

**Vote:** Consensus

2. **Agenda Item No. 2 – Coastal Land Use Plan Amendment: Progress**

Staff member Jim Campbell provided a progress report on responding to the 53 Coastal Commission suggested modifications. There were four outstanding issues between the City Staff and the Coastal Commission that Campbell has been working to resolve, two of which appear to have been resolved. The four issues are prohibition of timeshares in the CV designation, mitigation fees for eliminating lower-cost accommodations or the provision of higher-cost accommodations, mixed-use residential in Mariners Mile, and allowing re-development within Corona Del Mar and Balboa Village. The two issues that appear to be resolved are for the re-development policy for Corona Del Mar and Balboa Village with amended language that will be more flexible and mixed-use residential in Mariners Mile. Coastal Commission staff will accept the possibility for fifty-percent of the properties within this area to be used for mixed-use development with residential only occurring on the second floor.

3. **Agenda Item No. 3 – Draft Zoning Code Review**

- A. **Comment Letter from Mariner's Mile Business Association (Provide comments)**
- B. **Paleontological, Archeological and Historical Resources (Direct staff to include regulations in draft code or to continue to use Council policies citywide)**
- C. **Residential Parking Requirements (Review revised standard and direct staff to make any necessary changes)**
- D. **In-Lieu Parking Section (Review draft code and direct staff to make any necessary changes)**
- E. **Mixed-Use Noise and Tenant Notification (Review and direct staff to make any necessary changes)**

**Action:** The Committee went through items A. through E. Ned McCune, Chairman of the Mariner's Mile Business Association expressed concern with number three and number nine of the response letter provided by staff. Committee member Hawkins provided General Plan policies related to the protection of Historical Resources and a letter that provided an example of notifications and protections in connection with residential developments in mixed use areas. After discussion of each item the Committee and Advisory Members discussed and directed staff to:

- try and accommodate MM Business association concern with offices only allowed on second floor, resolution – take a look at use tables and try and accommodate pedestrian oriented offices on the ground floor for mixed-uses, public view protection (number nine) will be brought back at a future scheduled meeting
- re-look at Council Policies K-2 (Places of Historical and Architectural Significance), K-4 (Paleontological Guidelines), K-5

(Archeological Guidelines) and update accordingly to implement General Plan Policies in the Historical Resources Element to provide historical resource protection, resolution – do not codify

- residential parking requirements resolution – 4,000 square feet of habitable area, regardless of lot width, is threshold for requiring a third parking space for new single-family residences
- delete “and maintenance” before “of public parking facilities.” in the first sentence of Subsection 20.30.10 In-lieu Parking Fees
- revise language of Subsection 20.60.130 Mixed-Use Noise and Tenant Notification – include recordation requirement

The public provided a comment regarding 3.E. expressing that the tenant notification resolution is good but noise could be a concern with some of the visitor serving uses, such as restaurants that Coastal Commission encourages in some mixed-use areas.

**Vote:** Consensus

4. **Agenda Item No. 3** – Items for future agenda

**Action:** Tentative schedule for January 28<sup>th</sup> – revised public view protection, non-conforming chapter specifically applicability, residential regulations, alley setbacks with a focus on the second floor encroachment with guidance from the Public Works and General Services Directors;

**Vote:** None

5. **Agenda Item No. 4** – Public Comments on non-agenda items

The public provided comments requesting the following:

- for the PI district allow marinas and yacht clubs as a permitted use
- for the CM district add marinas as a permitted use with a footnote referencing Title 17
- designate Bayshore Marina ( 2550 Bayshore Drive) with PI district instead of OS to be consistent with other privately owned marinas in the area

**Meeting Adjourned 3:45 p.m.**